

COMMITTEE ON LANDS AND BUILDINGS

July 27, 2004

3:00 PM

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Roy, Gatsas, Osborne, Porter

Messrs.: S. Tellier, R. MacKenzie, T. Arnold, D. Webster, R. Soucy,
K. DeSchuiteneer, P. Lawrence, P. Sampo, B. Chabot,
L. LaFreniere, K. Sheppard

Chairman Thibault addressed Item 4 of the agenda:

Communication from the City Library regarding space needs for the West Side Manchester Library.

Chairman Thibault stated I just have to say one thing on that. As a liaison to the Board of Mayor and Aldermen and the Library I know that they want to come in and give a presentation so I would like to have this tabled like the other request we have today on the agenda until they get together and know what they are looking for and can bring it to this Committee.

On motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to table this item.

TABLED ITEMS

On motion of Alderman Porter, duly seconded by Alderman Roy it was voted to remove all items from the table.

5. Communication from John Gadd requesting to purchase property located at 398 Hanover Street (Map 289, Lot 15).

Alderman Porter stated this is a property that the City has been living with for 1,000 years and I would move that we sell this to John Gadd and Ms. Halen. I believe it is a \$5,000 offer.

Deputy City Clerk Johnson stated for the record we want to indicate that the item itself is a communication from Mr. Gadd who has requested to purchase the property. It is Map 289, Lot 15. The Committee had requested us to send letters to the abutters. There was only one bid received by John Gadd and Rose Halen and the amount of that was for \$6,170.00.

Alderman Porter moved to amend his motion to declare it surplus and sell it for \$6,170.00. Alderman Osborne duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

6. Communication from Jean Gagnon requesting to purchase a parcel of land located on Michigan Avenue (Map 0246, Lot 0001).

Deputy City Clerk Johnson noted that all reports were in and that the Committee requested that the City Clerk send letters to all of the abutters. We had one physical bid received from Matthew and Elizabeth Pinkos in the amount of \$3,000.00, which was the minimum bid set.

Alderman Osborne moved to declare the property surplus and sell it to Matthew and Elizabeth Pinkos for \$3,000.00. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

7. Communication from the Tax Collector relative to land on West Haven Road requesting the committee determine whether it is surplus to the City's needs and if so, dispose of it in the most appropriate manner according to RSA 80:80 I, II, IIa and III.

Deputy City Clerk Johnson stated this item had been tabled at the last meeting pending the Assessor's Office sending a letter to the abutters regarding interest in the subdivision. I know that Mr. Tellier is here and prepared to report on this.

Mr. Steve Tellier stated as of the last meeting I was directed to contact the two abutters to inquire whether they would accept it if the City would split that parcel. I so indicated that in a letter that went to both and I also spoke to a Mr. Harold Bradley and a Mr. and Mrs. Trainor who are the abutters on that property. Mr. Trainor has e-mailed the City and is willing to make an offer of \$500 for the entire parcel. I followed that up with an additional conversation by phone with Mr. Bradley. He needs to speak with his wife whether they will accept the other half or whether they are just going to relent and allow the other abutter to make an offer to the City. At this point to be fair to both after speaking with the City Clerk's Office I would recommend that under the direction of the Committee I

was directed to speak to both and we haven't heard from both yet. I might ask the Board to just table this and we will have final resolution at the next meeting.

On motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to put this item back on the table.

8. Communication from Steve Mscisz, Manager of the JMS Valley Grove Apartments advising of his interest in improving the railroad bed located adjacent to the property at Valley and Grove Streets.
9. Request from Rallitsa M. Kostakis to acquire property on Belmont Street previously owned by Boston & Maine Railroad Company and now owned by the State of New Hampshire (Map 129).
(Note: Tabled on 5/26/04 pending standard policy regarding railroad bed properties to be submitted by Parks & Recreation and Solicitor.
10. Communication from Gerald P. Cloutier requesting to purchase a parcel of land located at the intersection of Maple and Somerville Streets.
(Note: Tabled on 5/26/04 pending standard policy regarding railroad bed properties to be submitted by Parks & Recreation and Solicitor.

Deputy City Clerk Johnson stated you might want to take Items 8, 9 and 10 together. They were all tabled for the same reason. They are requests regarding properties that are railroad beds and you had tabled them all pending a report for a standard policy, which has been distributed to the Committee. The other thing I would mention is you have the policy response on the abandoned rail corridors and you also have a disposition on Item 8 from the Planning Department.

Alderman Osborne stated I know he has been hanging on to these for quite awhile on the railroad tracks, especially in my ward by Grove Street. What is the disposition so far?

Mr. Robert MacKenzie responded I just saw a letter from the Parks & Recreation Department. There were restrictions when the state gave us this property. There are restrictions and it does not look as though we can sell any pieces in fee simple. I think we could look at potentially if there are reasonable uses on a part of the right-of-way that we could license them but that is something we would have to work on a little more with the City Solicitor's Office. Now a license would just say that you could use this piece of property for an undetermined amount of time but the City reserves the right if we are going to build a trail the City could come back and utilize that or if the B&M Railroad came back and wanted to put in fiber optics, which they reserved the right in this right-of-way to do, that they could come back and do that. We can't really sell it fee simple as we understand it but

we could work with individual owners to grant a license of specific uses. So they couldn't put buildings on it. They couldn't put heavy items on it. They could put parking. One of the requests is for a play space. They could put a play space on there as long as it was green but they can't buy it and they can't put any major structures on it.

Alderman Osborne asked so this is something we could take 8 and 9 off the table and they could work with the Planning Department in order to get...

Chairman Thibault interjected and the City Solicitor.

Mr. MacKenzie stated I would defer to Mr. Arnold on the proper process for getting licenses for these.

Deputy Solicitor Arnold responded as the letter points out David Beauchesne, myself and Ron Johnson met earlier in the week. We would like to come up with hopefully an overall policy for dealing with individual requests in light of the restrictions that are laid out in the letter and in fact laid out in the deed and for that purpose we would ask you to retable it. Hopefully we can come to the next Committee meeting with a policy.

Alderman Porter asked does the City own those parcels.

Mr. MacKenzie answered the City owns that old rail line but there is a lot of...

Alderman Porter interjected what types of deed did we get on it. Do you know offhand?

Mr. MacKenzie responded I don't although it is not going to be a clean deed. I am not sure if Mr. Arnold knows for sure.

Deputy Solicitor Arnold stated our deed of course I believe came from the state. I know that when B&M usually disposes of property it is always be release deed.

Alderman Porter moved to retable Items 8, 9 and 10. Alderman Roy duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Deputy City Clerk Johnson stated for the items that you just retabled it is my understanding that you want a report back on a policy. Are you looking for specific licenses or just the policy in general?

Chairman Thibault responded according to what the Planning Department says we can't sell any of that land. We would have to have probably a licensing method of leasing or letting them use it if you will for a certain amount of time or whatever. I guess the City Solicitor is going to come up with a recommendation as to what we should do and why don't we follow that.

Deputy City Clerk Johnson stated my only point is that I want to make sure that you understand that a policy will not be the license itself so it will take another action to do anything for the person requesting it.

Alderman Roy moved that we have a policy brought forward by Planning at the next Committee meeting. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Alderman Osborne asked what are we going to do with the letter here.

Deputy City Clerk Johnson answered the letters will stay on the agenda.

11. Communication from Manchester Neighborhood Housing Services, Inc. advising of their interest in purchasing the former Brown School property.

Deputy City Clerk Johnson stated there was a report requested at the last meeting from the Solicitor and there is a memo from Dick Dunfey dated July 13 that was also attached to the agenda. I believe the Solicitor is prepared to address this.

Deputy Solicitor Arnold stated at the last Committee meeting the Committee asked our office to look at whether this purchase of sale would remain a binding agreement despite the fact that Manchester Neighborhood Housing Services no longer has an interest in cooperating or developing with the Housing Authority. I have looked at the agreement. I think that it is still binding. Of course the Housing Authority would have to meet all of the restrictions and requirements set forth in the purchase and sale agreement and I would note that there is a date in that agreement by which a closing must take place. I could look but if I remember correctly I think it is December 31 of this year.

Chairman Thibault stated I know for a fact that Neighborhood Housing is really looking into taking over the Brown School and I would certainly be in favor of doing that because they will pay taxes whereas the Manchester Housing Authority would not pay taxes. I think we should look at both proposals and then take whichever one is best.

Alderman Porter asked what does this mean specifically. They are asking for an amendment, which kind of indicates to me that the existing agreement may be in

question. It says, "to provide the required site control." What do they mean by that?

Deputy Solicitor Arnold answered I am just reviewing it again. I am not quite sure what they mean by that. This letter may have been issued...well obviously it was issued before I gave an opinion. I think that they just want to confirm that they can go forward with the plan subject to any restrictions that are in the purchase and sale agreement. Whether they want to change any of those or not I do not know.

Alderman Porter asked so they didn't provide anything for language as to what they would like to see in the document. I guess I am confused about what is...

Deputy Solicitor Arnold interjected at least not to me.

Alderman Porter stated I think they should perhaps explain what they are referring to. They can't control it until they own it. They are not going to buy it until they have a potential use for it.

Chairman Thibault asked do you want to hear from Manchester Housing. They are here?

Alderman Porter answered yes please.

Mr. Dick Webster stated I am with Manchester Housing. What we were hopeful that we could do would be to rework the purchase and sales agreement so that we are not buying it in conjunction with Families in Transition. We have had the opportunity to apply for funding but the most recent funding round passed us by so we will have to reapply when the funding round comes by again in particular for Section 202. This is to develop strictly elderly housing instead of what we had originally planned on, which was a mix of elderly and family. We thought that the funding was available and the use is more compatible with the neighborhood. The tax issue we have the opportunity to...we are looking into different ownership structures that might enable us to pay full taxes but all of these things would take some outlay on our behalf and before we proceed in that direction we just want some assurance that we would be able to make this work. What we would really like is to sit down with our staff and come up with a plan and see if we can make something work that would meet the tax needs, the housing needs and so on.

Alderman Lopez stated as you are well aware, the Brown School has been vacant for quite some time and a lot of people have complained about that particular area over there. The question I have for the City Solicitor is looking at Families in Transition and how everything fell apart over there what is the timeframe that the

Committee could request to get out of this contract so we can put it on the open market?

Deputy Solicitor Arnold responded I am just looking at the contract itself. June 2001 of course is for the purchaser. I don't believe in this agreement there is a provision for the City to cancel it absent the Housing Authority's failure to perform by I believe it was December 31, 2004.

Alderman Lopez stated the only comment I want to make is we keep holding on or the Manchester Housing Authority is holding on to this property and hoping for the best. That is all fine and good but it has been vacant and people are willing to buy it and people are willing to clean it up and make it housing. I would hope that Manchester Housing just releases it and lets it go on the open market.

Alderman Gatsas stated this question is for the City Solicitor. Have we been in receipt of the \$1,000 deposit because I think the last time we had this conversation we hadn't been?

Deputy Solicitor Arnold responded yes. The escrow agent confirmed to me that they did have the \$1,000 deposit in their possession.

Alderman Gatsas asked when did they receive it.

Deputy Solicitor Arnold replied I did not ask when they received it. I asked if they had it in their possession and I did that on the 22nd of this month pursuant to the Committee's instructions. I believe that it was probably posted shortly after this agreement was signed but I did not ask that question specifically.

Alderman Gatsas responded my understanding is that the last time we broached this subject, which was let's see let me help you Tom so I can remind you. We had the conversation about this property in May and at that time we had not received a deposit is that correct?

Mr. Webster stated at that time I think that is accurate.

Alderman Gatsas stated so I would say that they were in breach of contract on the 26th of May or actually they were in breach of contract on December 5, 2002 because there were no funds that were received in earnest deposit and according to the agreement that is what it calls for in Section 302.

Mr. Webster responded I believe what happened was there was a miscommunication. There was a partial deposit made within the deadline and the remainder of the deposit we were under the impression that it had been made.

There was some miscommunication. We went ahead and proceeded to do all of our due diligence and research. We certainly would not have...

Alderman Gatsas interjected this has nothing to do with you. I guess I am concerned that our City Solicitor's Office is not paying attention when we are supposed to be receiving deposits on property and when we aren't and not making this Committee aware of that. So Tom all you can say is you still believe that because we did not receive the deposit that there is not a breach of the agreement?

Deputy Solicitor Arnold responded I would have to check with the escrow agent to see when they received it and what they received before I can give you that type of information.

Alderman Gatsas asked well can somebody give you that in writing because you were supposed to do that the last time we had this conversation and that was back in May.

Deputy Solicitor Arnold answered the last time we had this conversation the Committee did ask me to check to see if we were in receipt of the \$1,000. I did that. I was told that we were. You are quite correct that I did not ask for the exact date on which we received it but I will confirm that information and certainly report back to this Committee.

Alderman Gatsas asked and you will do that in writing and send it to the Committee.

Deputy Solicitor Arnold answered certainly if the Committee wishes.

Alderman Gatsas asked do you want a motion on that, Mr. Chairman.

Chairman Thibault answered yes.

Alderman Gatsas moved to have the City Solicitor report to the Committee when the deposits were made and whether there was a breach of contract because they weren't received in a timely manner. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Alderman Osborne moved to put this item back on the table.

Alderman Porter stated the request is until the next go around of funding correct.

Mr. Webster responded that is correct.

Alderman Porter asked when do you anticipate that will possibly occur.

Mr. Webster answered this year it occurred in April. We were trying to get this wrapped up so that we could meet that.

Alderman Porter asked so are you anticipating maybe next April.

Mr. Webster answered yes that is certainly possible.

Alderman Porter stated I do have a question then that leads me to Item 4.01, which states "but in any event no later than December 31, 2004" so if you submit a new purchase and sales you are going to extend that to April. So given the normal circumstances if we kept this particular P&S more than likely you would not be able to fill the December 2004 date.

Mr. Webster responded I would hate to speak entirely on behalf of the Authority. I will give you my opinion and that is that we would certainly desire an extension of the purchase and sales agreement because we would want the funding up front. I am not sure that that is the case.

Alderman Roy stated Section 6.02 deals with the 120 days of due diligence so at this point the only thing outstanding is the financing and the closing from the Authority's standpoint.

Mr. Webster responded we had completed it up to a certain point and at that point we started to try to rework the deal so that the Housing Authority could proceed on our own. I would have to get back into my files and find out what we had completed to answer that more accurately.

Chairman Thibault asked what kind of a timeframe would we be looking at for you to look at all of this information.

Mr. Webster stated what happens is there are different types of funding. There is the opportunity to go for low income housing tax credit and there is the opportunity to apply for Section 202. They have different timetables. The next funding rounds of tax credits would be in January and then we would hear in the spring. Our supposition was that the Section 202 program would fit the property better but we need to get a consultant on board and we need to move in that direction. That was just not something that we have been able to do where we still showed the property to be sold to the two of us with a different purpose. We felt that to proceed in that direction we would need to be able to demonstrate that we had the support of the City.

Alderman Lopez asked it is going to be housing, correct.

Mr. Webster answered yes.

Alderman Lopez stated now Neighborhood Housing as you are well aware...why isn't there some type of an agreement with them in order to move forward because they are willing to buy it and make neighborhood housing of it. Why wouldn't you take that back to your people and try to work out something with Neighborhood Housing? The end result is going to be the same but with them it would be on the tax roll.

Mr. Webster responded we are hoping to be able to produce a product that would be very similar to what they would produce. The biggest difference is that we would be producing elderly housing. We believe that the elderly housing based upon the experience that we had up to this point would be much more amenable to the neighborhood. In terms of working something out with Neighborhood Housing Services the problem that we had with them in transition was that the site...we just couldn't get enough housing on the site for the two agencies to both have a viable project.

Alderman Lopez stated I think that Neighborhood Housing has done tremendous things in the City of Manchester if we just look around Lake Avenue. They could really do something with that piece of property over there. That is my only advice.

Alderman Osborne asked would you be bringing back something on the testability on the housing for the elderly.

Mr. Webster answered that is something we would have to work out but we could discuss that as well.

Chairman Thibault asked what is the Committee's pleasure.

Alderman Osborne stated I made a motion to table and have them get together with the City Solicitor and bring it back to us. Alderman Gatsas duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

12. Sale of tax-deeded property on Page Street and Michigan Avenue
(Map 246, Lots 3, 6 & 7).

Mr. Tellier stated what I have up on the screen before you is an aerial view. I will proceed to clear it up. Myself and staff inspected the site several days ago as well as on a preceding location. The letter is pretty self-explanatory. There was a minimum bid previously on that site for \$57,000 but the bidder brought in a wetlands engineer and it was determined that the site was much too wet and did not have a dry enough area to provide an adequate building envelope for improvement. If you will give me a minute I will try to get you a better picture to show you the extent of the wetlands. As you can see that center green area...I don't have a laser pointer but there is a significant amount of wetlands on that site. The only thing that might, as I indicated in my letter, if someone were to petition for quiet title to acquire the additional 25 feet on the discontinued portion they may or may not have an adequate building envelope for improvement. I seriously doubt it at this point because of the extent of the wetlands involved. At that point we revised the value. Its primary use would be residual land for either the abutters or possibly the site across the street or kiddie corner as parking or just to meet setback requirements. The building to its east, I believe, is a set of condos. They may wish to acquire it. At the top of the picture you can see a large building. That is a set of four condos. They did petition to quiet title. That site does own 25 feet. Where you see the parking lot it appears to approach a little bit over on to the discontinued road but they did petition for quiet title some time ago and they do own half that street. With that being the case we would revise the value to \$7,500 to \$10,000. My recommendation at this point would be to notify abutters and just go to auction.

Alderman Porter moved to declare the property surplus and move it to public auction.

Alderman Roy asked Steve the process to quiet title, if it was done for this unit here will take care of the other 25' parcel.

Mr. Tellier responded Tom would probably be most appropriate to answer that.

Deputy Solicitor Arnold replied it might have but I would tend to doubt it. I would think that when the condo association applied to quiet title they only applied for their half of the road would be my guess but without seeing the documentation I couldn't be definite.

Alderman Roy asked what would the cost to the City be to quiet title on the rest of the remaining land abutting City property.

Deputy Solicitor Arnold answered it would probably be a pretty minimal filing fee. Our office could probably handle it, however, I question whether it would be necessary at this point. If the other side of this street did a quiet title then that

seems to indicate to me that the Superior Court at least to their portion made a ruling that it probably was divided between the abutters down the centerline. I would be careful of any deed that I would give on that property. I would probably only give a release deed.

Alderman Porter asked if that were done would there be a building lot then.

Mr. Tellier stated when we walked the site it was considerably wet. We walked only 10 feet in but the ground was soggy. I hazard to say that if it is at all possible you wouldn't be able to fit a very large building in comparison to being in proportion to the rest of the neighborhood. My recommendation is to just let it go at a reasonably minimal value, let somebody else take the risk on that so at the very least it puts it back on the tax rolls and relieves the City of any liability on that and should an enterprising entity petition to quiet title and are able to improve any part of that, the City would recapture those taxes anyway.

Alderman Porter asked with a petition to quiet title and if that were done it would add land to that parcel, correct.

Mr. Tellier answered it would but the person would have to meet the side to side setbacks...

Alderman Porter interjected let me finish. Even if it weren't a buildable lot if somebody were to buy it to annex it to their existing parcel that might have a higher value then it does without that discontinuation. Is it possible the value would be higher with the discontinued street?

Mr. Tellier responded I would think so. The recommendation I put forward in the paper was in the spirit of disposing of the property and the risk involved and the fact that any improvement would require setbacks and I was just not sure it would meet those.

Alderman Porter asked how much more square footage would there be if a petition to quiet title were...would it be 20' x ...

Mr. Tellier interjected it is 25' x 100' I believe or possibly a little bit longer but as you can see in that photo it only goes to the first lot where it is dry so you are probably talking 25' x 75'. It is not a great deal of dry area.

Alderman Porter asked so the value probably wouldn't be that much more.

Mr. Tellier answered I don't believe so.

Alderman Porter moved to send this to public auction for a minimum bid of \$7,500.

Alderman Osborne stated I would like to amend that motion and change it to a minimum bid of \$10,000. I guess he said there was an upgrade on it.

Mr. Tellier responded that was a range and an auction would bring out parties to bid at whatever their feeling is that they are willing to go to. In other words possibly the condo association next door if they wished more parking or wanted to enlarge the site or...

Alderman Porter interjected I will amend my motion to a minimum bid of \$10,000. Alderman Osborne duly seconded the motion. The motion carried with Alderman Roy being duly recorded in opposition.

13. Communication from Lloyd Chipman requesting to purchase a City-owned parcel located off Old Wellington Road and Bridge Street Extension (Map 605, Lot 15).

Mr. Tellier stated I would like to refer you to your agenda. It is not possible to show up on the screen the portion that is being referred to. It is in your packet. On Item 13 there is a map that was put together by Mr. David Beauchesne of the Planning Department dated April 23, 2003. What has been identified and maybe Mr. Beauchesne can refer to it more eloquently but what I believe has been identified by the state are three small parcels. They are very narrow, 30' wide. The City's parcel, it says 5,742 square feet and the state's portion is 17,040 square feet. If I could direct your eyesight to the screen in front of you here as you can see it is on Bridge Street and Wellington Road. It is a limited access road. The buffer surrounding the property...Alderman Roy if you could show the house with your laser it is that one right there. As you can see the L shaped buffer abutting it is state-owned property. With the exception of what has been shown to you on your agenda it is a very small pencil lot as we like to call them. It has no value to anyone else. I have talked with the Highway Department and because it is a limited access road they would not be able to improve a second lot. There is no allowable curb cut. My understanding from speaking with the owner is that he just would like to meet setback requirements and add a small garage to the site where he would pay taxes on the additional land and the improvements that he would put on that site. At this point quite frankly a range of \$500 to \$1,000 for that land, which has no value to anyone else nor could we dispose of it, would be appropriate.

Alderman Osborne moved to declare the property surplus and sell it to the abutter.

Mr. Tellier stated I will follow-up that recommendation in writing as well.

Alderman Porter stated I think we have to have something more than \$500 to \$1,000.

Deputy City Clerk Johnson stated it has to be a specific amount if you are proposing to sell it.

Mr. Tellier stated I will put a letter in writing that recommends that we dispose of the property for \$500 as it has no value to anyone else.

Alderman Osborne moved to declare the property surplus and find just cause to sell it to the abutter for \$500. Alderman Porter duly seconded the motion.

Alderman Gatsas stated with a deed restriction that it can't be used as an access.

Mr. Tellier responded I believe the Highway Department...I have an e-mail here from the Highway Department stating "follow-up on the fact that I sent you the right-of-way along Bridge Street abutting Lot 15 limited access right-of-way per NH DOT Plan I93108-22". I got this from the Deputy Director over at the Highway Department. My understanding is that it is limited access. They would not be provided any additional curb cut to what they have.

Alderman Roy asked is Lloyd Chipman here.

Mr. Tellier answered no. I spoke to him yesterday by phone and he is still very interested in purchasing the property.

Chairman Thibault called for a vote on the motion. There being none opposed, the motion carried.

14. Request from Kenneth DeSchuiteneer on behalf of Mr. Rene Soucy to acquire property on Francis Street (Map 0861, Lots 0023 and 0024.)

Deputy City Clerk Johnson stated this item was tabled to invite all parties to the meeting. I believe there are parties here who have an interest.

Chairman Thibault stated if the Committee remembers we tabled this because the people had not been informed that they were supposed to be at the meeting and that is the reason we tabled it frankly. They are here today.

Mr. Rene Soucy stated I have a proposal. I have drawings and scales and pictures.

Chairman Thibault stated I went down there and looked at it but I would like to have the Committee look at these pictures and see if they can make any sense of them and then you can probably make a presentation to make them aware of exactly what you are asking for.

Mr. Soucy stated if you look at the map and the City map you will see a yellow square and a triangle. That is so you can match it up with the picture. So you can see the lot.

Chairman Thibault asked the yellow square on the map here.

Mr. Soucy answered yes. That is the gravel area and I showed it on the City map. The triangle shows you the City lot where it starts.

Chairman Thibault asked do you have a map of the lots that are affected by this.

Mr. Soucy answered yes. The drawing I have also shows the backside of the lots.

Chairman Thibault asked could you explain exactly what you want to do there and what is happening there.

Mr. Soucy stated I read the minutes when this was brought up. The lower lot had a septic, which was bothering the guy on the bottom.

Chairman Thibault asked which lot is this.

Mr. Soucy answered Lot 23. That was a lower lot. They had septic there which was going to bother Lot 22. What I was proposing was buying a City lot to make all of this work and putting this septic up on Lot 25 and the City was willing to sell this lot and that Lot 25 is lower than Joseph Street #87 so it wouldn't bother him at all and it is on the other side of the hump of the hill so it can't bother any other neighbor either. All of these pictures I have show you the grade and they are marked P-1 and P-2 and it shows you the arrows of which way you would be facing so if you match the pictures with the numbers it shows you the grade of the land and the road and everything else.

Chairman Thibault asked, Steve, where is the lot that he wants to buy from the City.

Mr. Tellier pointed the lot out on the screen.

Alderman Forest asked Mr. Soucy these pictures that you have taken what street is this, the one that is tarred here.

Mr. Soucy answered Francis Street.

Alderman Forest asked this is Francis Street.

Mr. Soucy answered yes.

Alderman Forest asked have you talked to any of the abutters on Francis Street or Goffstown Road.

Mr. Soucy answered I talked to the Lot 22 abutter, Bob. He was worried about the septic but he said if it was on the other side of the hill it doesn't bother him, which it would be.

Alderman Forest asked is that Bob Chabot.

Mr. Soucy answered I don't know his last name. He owns Lot 22.

Alderman Forest stated that was one of my concerns and there are some constituents here. The constituents as far as their septic system...

Mr. Soucy interjected Lot 23 had a problem with the septic so I was just going to use it as a buffer zone. I would rather that I had trees on Lot 23. I don't want to touch Lot 23. I will use it as the buffer zone and move everything up away from the people so they have no problems.

Mr. Kenneth DeSchuiteneer stated I think I wrote letters out to the abutters also telling them of Mr. Soucy's plans and I heard nothing from any of them.

Alderman Forest stated I talked to some of the abutters two days ago and they said they hadn't heard from you at all. They are here tonight.

Chairman Thibault asked, Mr. MacKenzie, this land that he wants to buy can you give us some idea as to where that is at.

Mr. Robert MacKenzie stated as Steve Tellier indicated Lot 25 right here does not have any public street frontage so it can't be a separate building lot per say. We did determine or recommend that this property is surplus to City needs so it can be sold and we did, given that it is not a freestanding lot, suggest that it has to be sold to one of the abutters. In this case there are only two reasonable abutters. The abutter at Lot 24, which I think is Mr. Soucy or the abutter at Lot 18, which is down on Joseph Street. I am not sure if those abutters are here but in this

particular case the way that it is configured these are the only two abutters, which it seems reasonable to sell this property to.

Chairman Thibault asked wouldn't he be able to use Francis Street as his entrance.

Mr. MacKenzie answered this is an old street that is in essence a paper street and it may have lost all of its status. If somebody just wanted to buy this lot they couldn't just come in and extend the street all the way down and have access on this lot because they would have to go through and see if they would have to quiet title the old right-of-way. That was a really old street and it has probably lost its status. The street comes up and ends...there is a small section of street that ends somewhere up in here. They could...if this was all one lot they could probably reasonably get access on the end of Francis Street perhaps somewhere in this area.

Mr. Soucy stated if you look at the map I gave you, Lot 23 and Lot 24 the tar goes 130' of frontage on those lots and then 40 more feet is of gravel. So 130' is tar and there is existing water on the tar.

Alderman Roy asked has there been an offer on this property.

Chairman Thibault answered yes there has been an offer but I hear that the Assessors want to reassess the value. So Bob there would be no way to get a quick claim deed on that parcel that is the paper street?

Mr. MacKenzie responded I do not believe so. I do know the Building Commissioner just indicated to me that there have been previous attempts to build on a couple of these lots and had to go to the Zoning Board of Adjustment and they could not get variances for them.

Chairman Thibault asked what happens to that paper street if nothing happens there. It is just in no man's land and nobody owns it?

Mr. MacKenzie responded after a certain date...20 years I think after 1969 it loses all public servitude and becomes in essence no man's land and again I would probably defer to the City Solicitor but we have dealt with these old paper streets before and if somebody wants to use it for street frontage or include it as part of their lot they do have to go through the quiet title process.

Alderman Porter asked did someone say Steve that you had reason to revalue which parcel, 25.

Mr. Tellier answered Alderman Thibault asked about the initial value on Lot 25.

Alderman Porter asked which was.

Mr. Tellier answered which is the one closest to the wetlands.

Alderman Porter asked but what was the initial price.

Mr. Tellier answered quite some time ago an initial valuation was placed at \$20,000 and with a lot of that being under water...as you can tell it would be very difficult to know where the boundary lines were. Our initial opinion of value anticipated that there were less wetlands on there then what we have discovered to date so should the Board decide that it is surplus property we would be willing to revisit that value as we have found that a lot of it is under water. The GIS has really assisted us a great deal in making additional determinations when we can't ascertain the boundary lines.

Alderman Porter stated for the sake of keeping this alive I would like to move that we determine that it is surplus property. The way I feel is if through some quirk of luck 10 years down the road Mr. Soucy is able to build a Taj Mahal on it I am not going to worry about that today but it doesn't look like that is in the cards so rather than the City hold on to a piece of property that it certainly isn't going to do anything with and we are at least going to generate some taxes I think it would be prudent to sell it. At this point I would simply like to make the motion to have the Assessors review their appraisal and come back to the Committee and at this point determine it surplus.

Chairman Thibault stated I believe that Mr. Soucy told me before that he would buy this land contingent on the fact that he would be able to build. I want to make sure that I don't put him on the spot, however, we have some of the abutters here.

Mr. Leon LaFreniere stated this would not be a buildable lot even consolidated with these additional two parcels. The lot was actually sold illegally and separated from Lot 22 back a few years ago. It is considered to be a single parcel per the zoning ordinance. The Zoning Board was asked to modify that to provide a variance so that they could do construction and that was denied on at least two occasions. Even consolidating it would prefer perhaps the sufficient square footage for a lot to exist in the zoning district it may not satisfy the square footage requirements for a separate lot once the slopes are taken out of it. The street frontage does not have any status so it would require even in a consolidated fashion a variance from the Zoning Board of Adjustment before a building permit could be issued.

Mr. DeSchuiteneer stated if you look at the map where he is taking out the slopes, etc., he also has in that map a septic easement for Lot 20, which I believe if you

combine the three lots in question that Mr. Soucy is trying to purchase at this time I believe it would be buildable at that point.

Mr. LaFreniere responded that is not accurate. I guess it is Lot 20 that the lot was sold off from and because that lot is non-conforming, Lots 23 and 24 are part of that in the context of the zoning ordinance.

Chairman Thibault asked so you would still have to go to the Zoning Board.

Mr. LaFreniere answered yes absolutely.

Alderman Porter asked is your purchase totally determined on it being buildable.

Mr. Soucy answered yes.

Alderman Porter stated so we are put in the spot that we certainly can't authorize selling it to you with that condition because we have heard from the Building Commissioner that it is not a buildable lot.

Mr. Soucy replied when I read the minutes the problem was Lot 20 was bought and he should have bought the lot behind him to make the footage for septic because it was grandfathered at the 100' x 100' but when the guy bought the other two lots at a different time when he saw his 100' x 100' Lot, Lot 20, he should have sold Lot 23 with it. They didn't know about this. This was sold by a realtor and now I find out that is the reason for the septic easement was because if he had septic failure he has no place to go. I would be willing to give him a septic easement and use that bottom lot just as a buffer so that would take care of that problem. It wouldn't have any cost to him. I would rather just leave that bottom lot as a buffer zone for private anyway. That would seem to be the whole problem.

Alderman Roy asked are the owners of Lot 20 or Lot 18 here this evening. Are there other abutters we can hear from?

Mr. Peter Sampo stated I live on 87 Joseph Street so I am an abutter to Lot 25. I am interested in purchasing Lot 25 myself.

Alderman Roy asked can we hear from the other abutter who had his hand up.

Mr. Peter Lawrence stated I am on 65 Joseph Street.

Alderman Roy asked what would you like to see done with this.

Mr. Lawrence stated I can only reiterate what was told by Mr. LaFreniere that there were problems with the sale of my house that haven't been resolved regarding zoning ordinance and violations. I am not really looking for an easement for my septic system because I believe it is way too close. It should be an issue that the City should take up and fix the violation of the ordinance. I guess what they are trying to do is resolve the situation by...they were told at the time of their application for variance just what the problem was that they couldn't do what they ended up doing. They were told that if they sold the house, my lot, they had to go with the other lots. They opted to do that on their own.

Mr. LaFreniere stated in this case each of the three lots as they are identified on the plan are non-conforming. They are each non-conforming both in terms of required lot area as well as Lot 23 and 24 do not have frontage on an accepted City street.

Alderman Roy asked in order to make Lot 20 a conforming property, how many square feet would we be talking about.

Mr. LaFreniere answered we are talking about a property on septic so it would have to meet the state requirements depending on soil type. Our zoning ordinance no longer contains a specific square footage, however, the state standard is somewhere in the vicinity of 22,500 square feet with City water.

Mr. Bob Chabot stated I live at 73 Joseph Street. I am the one in the center. I have been there for 48 years. You can see by the outline of my house that this was built at a time when they didn't care about sidewalls or anything like that. I can't move the house. My lot is 140' frontage and 100' deep. That is not a legal size for a septic system. For the 48 years I have been there I have been trying to buy the land behind me. It hasn't been available to me. For what reason I don't know. They told me they would let me know but they never did. They can do what they want. They own it. There is one thing that is missing on this flat piece of paper that we are looking at. This is not a topographical map. Where I live it pitches down as we look at it to the right corner. The other house next to me is lower because there is a pitch in the road. You can't just fill in everything or build up. The ones behind the house pitch down. It is pretty steep. On the other side of that little area that is not really a street there is a big hole back there and I think that roadway makes it part of it. They tried to fill that...the City did that quite a few years ago and somebody put a stop to it. I don't know why. You can't build on that. It would be an attractive hazard really. We had seven kids and we made darn sure they didn't play there because I might not see them again. From where that mark is that is proposed on here, that is probably the highest part. It is pretty steep and there is no way you can build on it. That is what I thought I would bring you up-to-date on.

Alderman Roy stated in the fact that I don't think this Committee can resolve the issues pertaining to that entire neighborhood I do think we can start off with declaring Lot 25 as surplus property to the City and I would like to make that motion at this time.

Alderman Porter duly seconded the motion to declare Lot 25 surplus to City needs.

Chairman Thibault called for a vote. There being none opposed, the motion carried.

Deputy City Clerk stated the Board of Assessors indicated they wanted to reprice the property. I think it would be appropriate to table it and ask them to come back with an appraised value. In order to do anything to dispose of it you need to have reports under ordinance from three parties and that is one of them.

Alderman Porter stated we are not disposing of it we are simply declaring it surplus.

Deputy City Clerk replied at this point in time but did you want to dispose of it at a certain point in time.

Alderman Porter responded later when we get the reports.

Alderman Osborne moved to put the item back on the table. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Alderman Porter asked am I to understand, Mr. Soucy, that your purchase and sale is totally subject upon your being able to build.

Mr. Soucy answered yes.

Alderman Porter stated the question I might have is how much time are we going to spend on this when we have heard from the Building Commissioner that it is not buildable.

Chairman Thibault stated let's wait until the next meeting when the Assessor puts the right value on it.

Mr. DeSchuiteneer stated the current owners of the property that are in question – Lots 23 and 24 I believe, are holding a purchase and sale from Mr. Soucy contingent upon him buying the City lot and allowing him to make those three lots

buildable. So the property is owned by JDF Trust. John D. Freitas is the trustee and they are holding a purchase and sales agreement that I took from Mr. Soucy just to bring you up-to-date on what is happening.

Deputy City Clerk Johnson stated I just want to point out for the record because we have been sort of taking notes back here that there are in essence two abutters that do hold an interest in that property and, therefore, based on the recommendation of the Planning Department if, in fact, you do decide to do anything it would need to be suggested to be find just cause to an abutter perhaps but it would have to go to bid to the two abutters at the very least or a public sale under statute and ordinance. I just wanted to point that out for the record.

15. Hackett Hill Master Plan.

Alderman Osborne moved to place this item back on the table. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

16. Downtown Cultural Walking Trail.

Alderman Roy moved to receive and file. Alderman Porter duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

17. Communication from the Deputy Public Works Director, on behalf of the NH Flying Tigers R/C Club, Inc., requesting use of the Dunbarton Road Sanitary Landfill for model activities.

Alderman Roy asked, Kevin, the use of the landfill...this is probably the first request that I am aware of to come and use the old landfill and I am sure it may be the first of many more to come in the future. Could you give us your recommendation again?

Mr. Kevin Sheppard stated in discussion with the Highway Commission we were looking to allow them to utilize the site but not under any long-term lease or agreement with them, which would allow the City to use this for future needs. This is potential parkland in the future, although the Parks Department hasn't expressed too much of an interest in this land. At the present time we do mow and maintain that landfill and the Highway Commission as you can see by the letter has agreed with what we recommended to them.

Alderman Roy asked are there any concerns with the neighbors and noise. Those neighbors have put up with a lot for a lot of years. Any expressed interest?

Mr. Sheppard answered that is one of the reasons that I believe the Highway Commission wanted a six-month trial period to see what the noise levels may be. The Flying Club has told us that there should not be issues with noise. They are looking at the hours of 10 AM to sunset but that is one of the concerns the Highway Commission had also. That is one thing that we are going to observe during the six-month trial period.

Alderman Roy stated I know they seem to have a considerable amount of insurance coverage. Any worries with the abutting highway.

Mr. Sheppard responded no. I believe the state would not allow them to fly over the highway. They would be limited to the air right above the landfill. Our recommendation is the same as the Highway Commission's recommendation. A six month trial period and negotiation of a usage agreement with the City Solicitor's approval.

Alderman Porter moved to allow the NH Flying Tigers R/C Club, Inc., to use the Dunbarton Road Sanitary Landfill for model activities on a six month trial period with negotiation of a usage agreement under approval of the City Solicitor's Office. Alderman Osborne duly seconded the motion.

Deputy City Clerk Johnson stated before you take a vote on that I just want to make you aware that there is another item coming into the Committee this evening that was supposed to be taken earlier from Alderman DeVries regarding dog parks and the sanitary landfill area was one of the considerations. I don't know if you want to defer action on this and take that up so you at least have an understanding of what the potential use could be.

Chairman Thibault stated okay we will hold the vote on that item. Kevin, do you have any recommendation on Alderman DeVries' request for a dog park?

Mr. Sheppard replied that is something we could take a look at. We could work together with the flying club and the dog park. We would have to sit down and take a look at the uses for both.

Alderman DeVries stated I think basically what I would like to request of the Lands and Buildings Committee at this point in time...as you well know there has been a lot of interest in establishing a dog park somewhere within the City. There are three parcels of land where I have done a preliminary walk through. These by no means are the only possible parcels in the City. What I would like to do is quickly show you the three that have been identified and then have you notify Parks & Recreation, Highway and any other department that may have future

needs to get feedback so we can determine whether or not they are available for the use of a dog park. What we have in mind would not be tax dollar driven. This would be a public/private venture where the City can determine based on their future needs for parcels whether or not they could give a possible lease or disallow the use of City owned parcels. The fundraising hopefully will be done as a separate entity so we do not have to look to the taxpayers to support this effort. I do also envision a governing body that will be set-up of interested volunteers who will help establish the rules as well as maintenance for this project. Starting off first the easiest of them but probably my personal least favorite would be the landfill. I have already had conversations with the Highway Director, Frank Thomas, and he has indicated that that would be appropriate within the limitations of the encapsulation of the landfill.

Mr. Tellier asked are you referring to the landfill, Alderman.

Alderman DeVries answered yes within the fenced enclosure at the landfill. That would be the easiest of the parcels for us to deal with. It is not my favorite just because we cannot...it has restrictions for use because it will be down on the level area, which is very long and narrow and not as conducive to all of the activities that we envision for this parcel but certainly we would make use of it if it is the only parcel that is available to us. Directly across the street from the landfill is the Manchester Animal Shelter. Stretching beyond the shelter and out towards Straw Road is the second parcel of interest for me and this is one that I have not heard from the Highway Department specifically. They have today a dirt road that comes down off of Straw Road that goes down into an area where they temporarily will store granite pieces and other such items. That is probably the most preferred area because it is not only more scenic but has the opportunity for some shade trees. There is a Black Brook that runs through that area so the governing body could make a decision as to, being those that are making up the rules and will help locate this park within the permitted land, they can decide if they want to have access into the brook or how that might work best for the dog park. There are distinct advantages to these two parcels in that there could be a collaboration that we could make with the Manchester Animal Shelter. I say that because today they really do not have adequate facilities to really exercise the dogs that they would have there on a temporary or a more long-term basis. If we do locate at either of these locations I think there is a partnership that we can make with the Animal Shelter where we can get them some access to the fenced area and they probably would very much encourage either of these locations. Stretching out towards the animal shelter there are also other areas at the landfill that the Highway Department uses and I would like to take a look at the other portions of that particular City-owned parcel with the Highway Department to see where they would steer me on that parcel.

Mr. Tellier stated while we are here for the benefit of the Committee the parcel highlighted is the animal shelter. The next parcel highlighted here is the landfill. This parcel being highlighted is the City's drop-off facility.

Alderman DeVries responded the third one stretching out towards Straw Road...all of the rest of that parcel is also City-owned.

Mr. Tellier stated this is the one she is referring to on Straw Road.

Alderman DeVries stated I believe that might even be the dirt road that goes down into that that is showing on the map. It currently looks like...if you go down on Straw Road you can see you look down into it and there is a wide open field at the bottom and you will see the pieces of granite that have been stored there. There is great potential on that site. The third parcel that I identified and this is certainly not a complete or conclusive inventory of the lands. It was several months ago that I spent some time looking at the City lands and looking for parcels that I felt would be remote from existing neighborhoods so that there would not be serious noise issues to deal with. The third parcel is down stretching between the Pine Grove Cemetery and the Brown-Mitchell ball field off of West Mitchell Street. The advantage to that particular parcel is...I believe it is a little bit more central to a high-density population so it probably is not considered quite as remote as the landfill is for the City. The difficulty with that particular parcel is that parking today is an extreme issue, which would require additional fundraising in order to grade some sort of a road that would stretch in behind the ball field and to grade out an area that would allow sufficient parking. So there are some pluses and minuses. The good thing is that certainly with the cemetery abutting this property on several sides it does lend to it being remote but still within a very, as you can see on the picture that is up now, it is a very dense neighborhood. This is down off of the Calef Road corridor. It is closer to the inner-city. The request I would make of the Committee at this time is if they could formally contact the different departments to see if there were any issues for future use with either of these three parcels that I have identified and if you could specifically contact Parks & Recreation, Water Works and the Highway Department and ask if they have any suggestions of other parcels several acres in size that they think might satisfy the needs to establish a dog park so that this Committee can identify and look at those more closely.

Alderman Roy asked how many acres are you looking for as a minimum or maximum.

Alderman DeVries answered I don't think we have made an actual determination of minimum or maximum. We feel that two to three acres would be wonderful. It really depends on the parcel, the topography of that particular parcel...what we are

dealing with is there is natural tree cover. You may want to leave some of that and have other parcels that are left open or other portions of it left open in a field to allow frisbee activity, ball throwing and that kind of thing.

Alderman Porter asked Kevin if the landfill site were selected for that purpose would that preclude the aviation project.

Mr. Sheppard answered I believe the air club would prefer to have full usage when they are there but it is something that we could take a look at in the big picture of things. I don't think we want to limit the use of the landfill to this model flying club. I think we need to take a look at all uses on this site.

Alderman DeVries stated I think in the lease agreement that had been drawn up with them there was no indication that they had exclusive use of that parcel. I don't remember seeing it and I did look for that but maybe that is something that the City Solicitor should weigh in on.

Mr. Sheppard responded if this was to move forward we would discuss that as part of the agreement with the air club.

Alderman Porter withdrew his motion to allow the NH Flying Tigers R/C Club, Inc., to use the Dunbarton Road Sanitary Landfill for model activities on a six month trial period with negotiation of a usage agreement under approval of the City Solicitor's Office.

Alderman Osborne withdrew his second.

Alderman Osborne asked Steve how much land is out at the shelter. How much land did they acquire there?

Mr. Tellier answered the animal shelter is a very small site. It is about an acre I think. It is bordered on three sides by the drop-off facility and on the fourth side it fronts Dunbarton Road. It is the approximate size of a house lot. It is very small and it is show right in front of you.

Alderman DeVries stated if I could follow-up on that I am certainly not looking to limit that operation. I look at the animal shelter today saving the City quite a bid of money through volunteer efforts that we would be paying for otherwise. We don't want to inhibit that operation or any future claims they might have for that location but we would love to work with them to enhance their life as well as facilitate ours.

Mr. Tellier stated what Kevin has done is show you the aerial view of the drop-off facility. As you can see the majority of the site is paved and utilized in a pretty concentrated fashion. The parts that are dirt, a lot of those are lay down areas for metals or composite materials and that type of thing. I certainly wouldn't speak for the Highway Commissioner but I have been there on many a Saturday and it is a pretty dense operation at least at that site.

Alderman Gatsas asked is the green roof building the animal shelter.

Mr. Sheppard pointed out the animal shelter on the screen.

Alderman Gatsas asked and going in that direction where the arrow is moving.

Mr. Sheppard answered that is a flare for the landfill excess gas that is not burned through the gas energy facility. This recently has not been used too often because they are burning most of the gas that is coming off of the landfill.

Alderman Gatsas asked what are the chances...

Mr. Sheppard interjected I just want to show you the facility for burning gas which is right in here.

Alderman Gatsas stated I am talking about across the shelter. What is the other green building?

Mr. Sheppard responded that is the flare for the methane gas.

Alderman Gatsas asked how much space is there between that and Dunbarton Road.

Mr. Sheppard answered it actually drops off from Dunbarton Road. There is a grade there. There is probably 50 feet maybe but it does drop off from Dunbarton Road.

Alderman Gatsas asked from the animal shelter to that is a steep grade also.

Mr. Sheppard answered to be quite honest I believe it may drop off somewhat between the animal shelter and this flare also. I believe the grade comes down from this direction towards the flare and also from the road down to the flare.

Alderman Gatsas stated well from some inside information that I have gotten I know that the Friends of the Manchester Animal Shelter are in a fundraising mode to expand the building.

Mr. Sheppard answered right.

Alderman Gatsas stated it would certainly make sense that if we were going to put an effort together that certainly the dog park would be part of that and it probably from a fundraising point of view may be a little bit easier not having to worry about somebody else maintaining it where it could be tied in because as Alderman DeVries said right now it is saving the City money because the animal shelter in Nashua is getting subsidized to the tune of about \$120,000 when we are doing the same thing in Manchester for about \$40,000. It would make sense because the last building that was constructed there had dealt with money from the closure of the landfill because the building was across the street and I think it was like \$125,000 and when they were done they raised another \$150,000 to complete the building and I know they are looking for more space. I would think that that would probably be the most logical place where it could tie in and whether with all of the fill that is...where we are moving dirt everywhere there is probably an opportunity to take some of that fill and cap it where it is not going to be built on and really just made for a dog park I think that would maybe be the place that would make the most sense where it could tie in with two different facilities to get the project done.

Alderman Roy stated to capitalize on Alderman Gatsas' thought Kevin could you highlight the southern section of that building or move the map. How far south is the brook from where you store excess loam?

Mr. Sheppard answered the brook is pretty close. We actually have a berm that surrounds our site. You can see the brook is right here. Here is the animal shelter. This is where we are storing gravel.

Alderman Roy asked and this is just gravel and extra construction materials.

Mr. Sheppard answered correct.

Alderman Roy asked and this is all City-owned out to Dunbarton Road.

Mr. Sheppard answered correct.

Alderman Roy stated at this time if it pleases the Chair on behalf of Alderman DeVries I would like this Committee to direct all department heads that could have input into site selection to report on these three sites with emphasis put in conjunction with the animal shelter to help determine the best and most feasible economic site for a dog park.

Alderman Gatsas asked can I make an amendment to include the animal shelter in the discussions. Alderman Osborne duly seconded the motion. Chairman Thibault called for a vote. There being none opposed the motion carried.

Alderman DeVries stated I have spoken with the Board of Directors and the President of the Animal Shelter and that is wonderful. I guess in closing what I would say is even if this is a remote location of the City that maybe doesn't best serve all of the City's needs, getting something up and running to have our first dog park is important and what we can continue to do or what I can continue to do working with volunteers is if other lands become viable we can look for other fundraising options and see if we can have more than one dog park in the City but I will start with the one because one is better than none. There is a lot of enthusiasm out there for this.

Mr. Sheppard asked can I just clarify. Did Item 17 get tabled or does it remain on the table?

Alderman Porter stated I withdrew my motion. I will move to put it back on the table. Alderman Osborne duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

There being no further business, on motion of Alderman Porter, duly seconded by Alderman Osborne it was voted to adjourn.

A True Record. Attest.

Clerk of Committee